

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

CENTRA, INC. and	)	
DETROIT INTERNATIONAL	)	
BRIDGE COMPANY,	)	
	)	Case Nos. 07 CV 6312
Plaintiffs,	)	
	)	Judge William T. Hart
v.	)	
	)	Magistrate Judge Schenkier
CENTRAL STATES SOUTHEAST	)	
AND SOUTHWEST AREAS PENSION	)	
FUND,	)	
	)	
Defendant.	)	

**CORRECTED JOINT MOTION FOR LEAVE TO FILE  
AMENDED COMPLAINT AND COUNTERCLAIM INSTANTER**

Plaintiffs, CenTra, Inc. and Detroit International Bridge Company (collectively, “Plaintiffs” or “CenTra”), and Defendant, Central States Southeast and Southwest Areas Pension Fund (the “Fund”), by and through their attorneys, request that this Court grant the parties’ Joint Motion for Leave to File Amended Complaint and Counterclaim Instanter. In support of this Motion, the parties state:

1. Plaintiffs commenced this action, Case No. 07-CV-6312, on November 9, 2007 to enforce an October 10, 2007 arbitration Award issued by Arbitrator Richard I. Bloch. Arbitrator Bloch specifically retained jurisdiction in his October 10, 2007 Award to resolve disputes which arose from the Award’s implementation.

2. On February 12, 2008, Arbitrator Bloch issued a Supplementary Award, in which he ruled that (1) CenTra’s request for a supplemental award was timely filed, (2) CenTra’s claim for attorneys’ fees is denied, and (3) the district court should decided the

parties' remaining questions surrounding the billing fees and the appropriate methodology for calculating interest, including both the question of whether double interest is appropriate and whether interest is compounded annually. Arbitrator Bloch ruled that CenTra is "entitled to overpayments on the revised settlement of \$959,332 plus interest as required under 29 C.F.R. § 4219.31(d)."

3. In light of Arbitrator Bloch's Supplementary Award, the Fund has agreed to CenTra's submission of an Amended Complaint, attached hereto as Exhibit 1, and CenTra has agreed to the Fund's submission of an Amended Counterclaim, which will be filed instanter on March 12, if this motion is granted.

4. Further, by way of Exhibit 2 hereto, CenTra and the Fund have stipulated as follows:

Pursuant to Fed.R.Civ.P. 15(a), Defendant consents that Plaintiffs may file an Amended Complaint, which may assert any claims (and arguments) relating to the interest issues placed before the Arbitrator and noted in the Supplementary Award.

Pursuant to Fed.R.Civ.P. 15(a), Plaintiffs consent that Defendant may file an Amended Counterclaim, which may assert any claims (and arguments) relating to the interest issues placed before the Arbitrator and noted in the Supplementary Award.

The parties jointly and severally stipulate that Plaintiffs' Amended Complaint and Defendant's Amended Counterclaim shall deemed timely filed in compliance with 29 U.S.C. § 1401(b)(2) with respect to both the Award and the Supplementary Award. The parties further stipulate that no party will raise any timeliness issues as to Plaintiffs' Amended Complaint and Defendant's Amended Counterclaim.

WHEREFORE, Plaintiffs and Defendant jointly request that this Court grant the Joint Motion for Leave to File Amended Complaint and Counterclaim Instantly and accept the filing of the attached Amended Complaint and Amended Counterclaim, and Stipulation.

CENTRAL STATES SOUTHEAST AND  
SOUTHWEST AREAS PENSION FUND

CENTRA, INC. and DETROIT  
INTERNATIONAL BRIDGE COMPANY

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One of the attorneys for the Defendant

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March 10, 2008

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March 10, 2008

**CERTIFICATE OF SERVICE**

I hereby certify that on March 10, 2008, I electronically filed the foregoing JOINT MOTION FOR LEAVE TO FILE AMENDED COMPLAINT AND COUNTERCLAIM INSTANTER with the Clerk of the Court using the CM/ECF system, which sent e-mail notification of that filing to the following:

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